

BOIES SCHILLER FLEXNER LLP
 RICHARD J. POCKER (NV Bar No. 3568)
 300 South Fourth Street, Suite 800
 Las Vegas, NV 89101
 Telephone: 702.382.7300
 Facsimile: 702.382.2755
 rpocker@bsflfp.com

BOIES SCHILLER FLEXNER LLP
 WILLIAM ISAACSON (*pro hac vice*)
 KAREN DUNN (*pro hac vice*)
 1401 New York Avenue, NW, 11th Floor
 Washington, DC 20005
 Telephone: (202) 237-2727
 Facsimile: (202) 237-6131
 wisaacson@bsflfp.com
 kdunn@bsflfp.com

BOIES SCHILLER FLEXNER LLP
 STEVEN C. HOLTZMAN (*pro hac vice*)
 BEKO O. REBLITZ-RICHARDSON
 (*pro hac vice*)
 44 Montgomery Street, 41st Floor
 San Francisco, CA 94104
 Telephone: 415.293.6800
 Facsimile: 415.293.6899
 sholtzman@bsflfp.com
 brichardson@bsflfp.com

MORGAN, LEWIS & BOCKIUS LLP
 BENJAMIN P. SMITH (*pro hac vice*)
 JOHN A. POLITO (*pro hac vice*)
 SHARON R. SMITH (*pro hac vice*)
 One Market, Spear Street Tower
 San Francisco, CA 94105
 Telephone: 415.442.1000
 Facsimile: 415.442.1001
 benjamin.smith@morganlewis.com
 john.polito@morganlewis.com
 sharon.smith@morganlewis.com

DORIAN DALEY (*pro hac vice*)
 DEBORAH K. MILLER (*pro hac vice*)
 JAMES C. MAROULIS (*pro hac vice*)
 ORACLE CORPORATION
 500 Oracle Parkway, M/S 5op7
 Redwood City, CA 94070
 Telephone: 650.506.4846
 Facsimile: 650.506.7114
 dorian.daley@oracle.com
 deborah.miller@oracle.com
 jim.maroulis@oracle.com

*Attorneys for Plaintiffs Oracle USA, Inc.,
 Oracle America, Inc., and Oracle
 International Corp.*

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

ORACLE USA, INC.; a Colorado corporation;
 ORACLE AMERICA, INC.; a Delaware
 corporation; and ORACLE INTERNATIONAL
 CORPORATION, a California corporation,

Plaintiffs,

v.

RIMINI STREET, INC., a Nevada corporation;
 and SETH RAVIN, an individual,

Defendants.

Case No. 2:10-cv-0106-LRH-VCF

**MOTION TO SEAL PORTIONS OF
 ORACLE'S OPPOSITION TO
 RIMINI'S MOTION TO ENFORCE
 THE COURT'S ORDERS AND
 JUDGMENT SEPARATING
 RIMINI I FROM RIMINI II AND
 EXHIBITS TO THE MINNE AND
 FREDERIKSEN-CROSS
 DECLARATIONS**

1 Pursuant to the Stipulated Protective Order governing confidentiality of documents
2 entered by the Court on May 21, 2010, ECF No. 55 (“Protective Order”), Local Rule 10-5(b), and
3 Rules 5.2 and 26(c) of the Federal Rules of Civil Procedure, Plaintiffs Oracle USA, Inc., Oracle
4 America, Inc., and Oracle International Corporation (collectively “Oracle”) respectfully request
5 that the Court order the Clerk of the Court to file under seal portions of Oracle’s Opposition to
6 Rimini’s Motion to Enforce the Court’s Orders and Judgment Separating *Rimini I* from *Rimini II*
7 (“Opposition”) and Exhibit 2 to the Declaration of Jacob J.O. Minne (“Minne Decl.”) discussing
8 material designated as “Confidential Information” or “Highly Confidential Information –
9 Attorneys’ Eyes Only” or consisting of non-public, technologically and commercially sensitive
10 information, and Exhibit 1 to the Declaration of Barbara Ann-Frederiksen-Cross (“Frederiksen-
11 Cross Decl.”) in its entirety. Public, redacted versions of the Opposition and exhibits were filed
12 on April 23, 2020, *see* ECF No. 1333. Unredacted versions of these documents will be filed
13 under seal with the Court and linked to the filing of this Motion. “[G]ood cause’ suffices to
14 warrant preserving the secrecy of sealed discovery material attached to nondispositive motions.”
15 *Foltz v. State Farm Mut. Auto. Ins. Co.*, 331 F.3d 1122, 1135 (9th Cir. 2003).

16 Exhibit 1 to the Frederiksen-Cross Decl. and certain redacted portions of Oracle’s
17 Opposition and Exhibit 2 to the Minne Decl. reflect information that Rimini Street, Inc.
18 (“Rimini”) has designated “Confidential” or “Highly Confidential - Attorneys’ Eyes Only” under
19 the Protective Order. Other redacted portions of Oracle’s Opposition and these exhibits reflect
20 information drawn from additional sources designated by Rimini under the Protective Order in
21 *Rimini II*. Oracle submits these documents under seal pursuant to the Protective Order based on
22 Rimini’s representation that it reasonably believes there is a valid basis under the Protective
23 Order for its confidentiality designations. Because the material was designated by Rimini, Oracle
24 is not in a position to provide further justification for why filing the documents publicly would
25 cause Rimini harm sufficient to show good cause.

26 Exhibit 1 to the Frederiksen-Cross Decl. and certain redacted portions of Oracle’s
27 Opposition also reflect non-public, technologically and commercially sensitive information
28

1 relating to Oracle's software, the public disclosure of which would create a significant risk of
2 competitive injury and particularized harm, and would prejudice Oracle. Oracle's competitors
3 and potential competitors could use such information in competition with Oracle.

4 Oracle has submitted all other portions of the Opposition and exhibits to the Minne Decl.
5 and Frederiksen-Cross Decl. for filing in the Court's public files, which will allow public access
6 to all materials except for the portions discussed above. Accordingly, this request to seal is
7 narrowly tailored.

8 For the foregoing reasons, Oracle respectfully requests that the Court grant leave to file
9 under seal the documents discussed above.

10
11 DATED: April 23, 2020

MORGAN, LEWIS & BOCKIUS LLP

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13 By: /s/ John A. Polito

John A. Polito

14 Attorneys for Plaintiffs Oracle USA, Inc., Oracle
15 America, Inc., and Oracle International Corporation
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CERTIFICATE OF SERVICE

I hereby certify that on the 23rd day of April, 2020, I electronically transmitted the foregoing **MOTION TO SEAL PORTIONS OF ORACLE’S OPPOSITION TO RIMINI’S MOTION TO ENFORCE THE COURT’S ORDERS AND JUDGMENT SEPARATING RIMINI I FROM RIMINI II AND EXHIBITS TO THE MINNE AND FREDERIKSEN-CROSS DECLARATIONS** to the Clerk’s Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing to all counsel in this matter; all counsel being registered to receive Electronic Filing.

MORGAN, LEWIS & BOCKIUS LLP

DATED: April 23, 2020

By: /s/ John A. Polito
John A. Polito

Attorneys for Plaintiffs Oracle USA, Inc., Oracle
America, Inc., and Oracle International
Corporation